

DATE ISSUED: August 24, 2006 **REPORT NO.** PC-06-239
ATTENTION: Planning Commission, Agenda of August 31, 2006
SUBJECT: **TORREY CORNER** - PROJECT NO. 34992. PROCESS 5
REFERENCE: Planning Commission Report No. PC-05-351
**OWNER/
APPLICANT:** Sorrento Hills Marketplace II, L.P. (Attachment 18)

SUMMARY

Issue(s) - Should the Planning Commission recommend approval of the subdivision of land and development of an 18,000 square foot mixed-use retail and office project distributed in three one story buildings located at the southwest corner of East Ocean Air Drive and Carmel Mountain Road in the Torrey Hills community?

Staff Recommendation -

1. Recommend the City Council **CERTIFY** Mitigated Negative Declaration LDR No. 34992 and **ADOPT** the Mitigation Monitoring and Reporting Program; and
2. Recommend the City Council **APPROVE** the Progress Guide and General Plan and Community Plan Amendments No. 306111, Tentative Map No. 99197, Planned Development Permit No. 99196 and Site Development Permit No. 34508

Community Planning Group Recommendation - The Torrey Hills Community Planning Board voted unanimously, on July 18, 2006, to recommend approval of the proposed project. The Board's full motion is presented in the Discussion section of this report.

Environmental Review - A Mitigated Negative Declaration LDR No. 34992 has been prepared for the project in accordance with State of California Environmental Quality Act

(CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program has been prepared and will be implemented which will reduce, to a level of insignificance, any potential impacts identified in the environmental review process.

Fiscal Impact Statement - None with this action. All costs are recovered through a deposit account funded by the applicant.

Code Enforcement Impact - None with this action.

Housing Impact Statement - None with this action.

BACKGROUND

The Torrey Hills Community Plan designates this site for commercial development (Attachment 1). The site is located at the southwest corner of the intersection of East Ocean Air Drive and Carmel Mountain Road in the CN-1-2 zone of the Torrey Hills Community Plan area (Attachment 2). The CN-1-2 zone allows for smaller scale and lower intensity commercial development with an automobile orientation while also achieving compatibility with the surrounding residential neighborhood. Immediately east of the site is the Torrey Hills Center, a commercial center serving the community and surrounding area (Attachment 3).

The proposed site had been the subject of a previous project in the Torrey Hills community, a gasoline service station. The City Council, on October 23, 2001, approved the Conditional Use Permit for a small service station at this site, yet the discretionary permit was allowed to lapse and no development of the site occurred.

The original parcel was created by Parcel Map 18123 subsequent to the City Council approval of the Torrey Hills project in 1997. The site was graded in conformance with the approval of the Torrey Hills project and by an engineering permit issued to the land developer (Attachment 4). In June of 2003, the City Council rezoned the site from CC-1-3 to CN-1-2.

On December 15, 2005, the Planning Commission initiated an amendment to the Torrey Hills Community Plan and the Progress Guide and General Plan to amend the land use by traffic analysis zone table and revise the commercial and open space boundary to allow development of a commercial project at a higher intensity than currently allowed under the Community Plan. The initiation was described in detail in the Planning Commission Report No. PC-05-351.

DISCUSSION

Community Plan Amendment Analysis

The 2.485-acre site is designated as Commercial and Open Space in the Torrey Hills Community Plan (Plan). The proposed Plan amendment would reconfigure the Commercial and Open Space land use boundaries on the subject site and increase ADTs (Average Daily Trips) to allow for

additional building intensity. To accommodate the proposed project the split land use designation of the subject site requires an amendment to the community plan to shift the boundary between the Commercial and Open Space designations so that 2.485-acres of the subject site could be designated as Commercial. This would result in a decrease of 0.7-acres in designated Open Space. The proposed Plan amendment would also change the ADT and Buildable Intensity in the *Land Use by Traffic Analysis Zone* table for Traffic Analysis Zones 732 and 733 by increasing the Buildable Intensity within Zone 732. This would allow an increase from 10,000 square feet to 18,000 square feet of commercial space planned for the site. The amendment will also remove the specific recommendation for a gas station and car wash at this site from the Plan (Attachment 5). On December 15, 2005, the Planning Commission initiated a General and Community Plan Amendment (Attachment 5).

The Plan Land Use Map identifies the 2.485-acre Torrey Corner site as Commercial and Open Space without providing parcel level detail. The portion of the 2.485-acre site subject to the plan amendment is the 0.07-acres of open space proposed for the commercial development. The majority of the 2.485-acre site is designated Commercial, estimated at 1.77 acres, while the slopes of the site to the south and west are designated as Open Space. The proposed 0.7-acre change to the Community Plan Land Use Map would result in a loss of designated Open Space. The proposed changes to the Open Space and Commercial land use boundaries will allow for a retail project preferred by the community and will provide additional commercial services within a community with limited commercial opportunities. The proposed retail project necessitates a larger pad area to accommodate a more functional site design which improves circulation, parking and fire access. Much of the 2.485-acres proposed for development has been previously graded as a result of prior Torrey Hills community development approval in 1997. The upper most visible portion of the sloped area will remain designated as Open Space. As the ridgeline will be preserved, a natural backdrop to development will continue to be provided along the south side of Carmel Mountain Road. Project landscaping will reduce the impact of the grading within the lower portion of the sloped area.

The Plan amendment proposal to increase the building intensity allocated to the site is consistent with the intent of the Plan to provide a range of commercial services within the community and to efficiently utilize the remaining undeveloped site within the larger Neighborhood Commercial Center designation. The other portion of the Neighborhood Commercial Center is developed with a 133,300 square foot neighborhood shopping center. The proposed building intensity increase can be accommodated without an increase in the total ADTs allocated to the Neighborhood Commercial Center because unused trips are available for transfer from the adjacent shopping center development. As a result of the Plan amendment the total ADTs for the entire Neighborhood Commercial Center will decrease from 9,360 to 8,825.

Planning Context

The 1997 Torrey Hills Community Plan is the governing policy document for the Torrey Hills community planning area. The Plan adopted in 1997 included an amendment that resulted in a substantial change in land uses which reduced Industrial land use, increased Residential land use

and designated 13-acres for a Neighborhood Commercial Center to provide retail commercial services for the expanding residential neighborhoods. The project site was included in this land use change and was redesignated from Light-Industrial to Commercial. Specific language was also added to the Plan and an accompanying illustration identifying a gas station and car wash as permitted uses on the project site (Pages 48-49).

Since the adoption of the 1997 Plan there have been several amendments. In 1998, the Plan was amended to redesignate approximately 30-acres of Industrial land to Low-Medium density Residential. In 1998, there was another amendment for a small boundary adjustment between the Carmel Valley and Torrey Hills communities to align subdivision boundaries with community boundaries. In 1999, the Plan was amended to include the addition of hotel uses in the 4-acre support commercial area. In 2002, the Plan was amended to redesignate 7.7-acres of low-medium density residential to industrial. The most recent amendment was a community name change. In 2003, the resident's requested the name of their community be changed from Sorrento Hills to Torrey Hills.

Another amendment application with a rezone and development project is currently being processed in Torrey Hills. On June 8, 2006 the Planning Commission initiated an amendment to re-designate 22.3-acres of Industrial land use to Residential land use. This amendment and rezone and development project proposal is being reviewed by staff and has not yet been scheduled for a future decision.

In 2001, a Chevron gas station, convenience store and car wash was approved for the subject site. During public testimony the Torrey Hills Community Planning Board and local area residents opposed the project as incompatible with the nearby residential neighborhood. The service station was never built and the parcel for the proposed project remains a graded undeveloped lot. The Community Planning Group has expressed their desire for additional retail/commercial on this site in lieu of a service station.

Issues Analysis

The following issues were raised by the Planning Commission as well as planning staff during the initiation of the Plan Amendment.

- The appropriate configuration of development area versus open space.

The Land Use Map in the Plan indicates a portion of the subject site is designated Commercial without providing parcel level detail or topographic boundaries. The Commercial designation on the property is estimated to be roughly 1.77-acres. The intent of the Land Use Map is to develop the southwest corner of Carmel Mountain Road and East Ocean Air Drive with Commercial and retain the remaining slopes as Open Space.

The Open Space and Resource Management Element of the Plan describes the internal and perimeter slopes located throughout the community and refers to the Open Space along the south

side of Carmel Mountain Road as providing a “natural backdrop to development.” A portion of the Open Space located on the corner parcel has been graded to allow vehicular access to the site from Carmel Mountain Road and does not contribute to the slopes and natural landform along the street.

The Plan recommends the subject site be developed as a gas station and car wash however the commercial land use designation would allow a variety of commercial uses. The project proposes 18,000 square feet of retail commercial in three one-story buildings and a surface parking lot. Based on aerial photographs and current topography, portions of the graded area of the subject parcel are located outside the Commercial designation and are within planned Open Space. The project requires a land use boundary change to address existing site constraints due to a narrow portion of the site along the southwest and to expand the Commercial land use to the entire corner parcel. The proposed adjustment improves circulation and parking by expanding the area on the southwest portion of the lot and allows more retail and commercial square footage to be located on the corner site. In return, the adjacent Open Space parcels are reconfigured with additional frontage along the street.

The proposed boundary configuration is based on detailed site constraints. Grading into sloped areas is at the minimum necessary to achieve the proposed development and will impact 0.08-acres of steep slopes. The proposed project is designed to screen the majority of the grading with proposed structures and landscaping.

- Compatibility of the proposed amendment with Torrey Hills Community Plan design objectives.

It is estimated 0.7-acres of plan designated Open Space are proposed for Commercial designation. Of this 0.7-acres most of the designated Open Space area has been previously graded with an additional 0.08-acres of new grading impacting steep slopes. The reconfiguration of the land use boundary between planned Open Space and Commercial land use will not adversely impact the open space objectives of the Torrey Hills Community Plan. The Open Space slopes are not intended as resource based Open Space areas but are intended to provide a natural backdrop to development. The proposed land use boundary preserves the more visible portions of the slopes which continue to provide a natural backdrop to the proposed project.

To accommodate an efficient developable pad, accommodate parking and circulation, the project proposes to grade a portion of the rear slopes and place two of the three retail buildings against the slope. The Plan contains policies to encourage sensitive design and suggests individual projects be designed to preserve natural topography, unique geologic formations and native

vegetation to the fullest extent possible. Grading objectives in the Plan recommend landform grading use variable slope ratios and minimize visual impacts from hillside development.

While grading using variable slope ratios cannot be achieved on the constrained site, the proposed retaining walls and the grading of the rear slopes have been minimized to preserve the visual quality of the slopes at the upper most visible areas and provide a natural frame around the proposed buildings on the site. The rear retaining wall was designed to reduce visual impacts. The rear wall is partially obscured by two of the commercial buildings and the exposed portion of the rear retaining walls has been designed to provide a natural stone appearance. An landscape plan has also been provided to add additional screening on the site and along the street. The materials, colors and landscaping are compatible and compliment the exterior of the adjacent commercial site.

- Rezone the area in accordance with the proposed plan amendment and final lot line adjustment.

Although the land use on the subject site has a split designation, the site is zoned Commercial-Neighborhood, CN 1-2, with the associated rear slope zoned Community Commercial, CC 1-3. The proposed amendment would allow for a re-alignment of land use and increase the developable intensity through more square footage and ADT's on the subject site. The re-designation of areas within the site to Commercial allows for both additional commercial services and greater consistency with the established zone. A rezone is not required with this plan amendment or project proposal.

- Implementation of the Torrey Hills Community Plan design recommendations to provide pedestrian connections to offset the increase in building intensity.

The project provides a pedestrian circulation system within the site between the three buildings and includes multiple locations around the perimeter of the site that allow for pedestrians to access the sidewalks along Carmel Mountain Road and East Ocean Air and connect with access points across the street at the adjacent commercial site.

The project's landscape plan includes a variety of street trees, shrubs and groundcovers which were selected by the applicant to achieve compliance with the City's Landscape Technical Manual and the Plan. The Landscape Plan features the installation of a number of trees and decorative shrubs along the perimeter of both street frontages, and at various locations within the site's interior, to soften the effect of the various retaining walls. The enhanced landscape plan will provide a more inviting pedestrian experience by buffering walls and structures from the sidewalk areas.

The proposed project provides for an efficient site design, including circulation and parking, maintains the visual quality of the upper most visible portion of the sloped area and provides additional retail and commercial square footage needed in the community.

ADT Transfer and Increase in Building Intensity

- Potential traffic impacts to the adjacent intersection associated with the ADTs transferred to this site.
- Look at alternatives to transferring ADTs and the legality of transferring ADTs.

The Plan amendment proposes to change the ADT and Building Intensity in the *Land Use by Traffic Analysis Zone* table for Traffic Analysis Zones 732 and 733 to increase buildable intensity within Zone 732. The building intensity proposed with the Torrey Corner project exceeds the recommended intensity in the Torrey Hills Community Plan and requires a community plan amendment to address the increased intensity and ADT transfer.

The proposed increase in the building intensity allocated to the site is consistent with the intent of the Plan to provide a range of commercial services within the community and to efficiently utilize the remaining undeveloped site within the Neighborhood Commercial Center. The building intensity increase can be accommodated without an increase in total ADT allocated to the Neighborhood Commercial Center because unused trips are available for transfer from the adjacent shopping center development.

In the existing Plan, the adjacent commercial site, Traffic Analysis Zone [TAZ] 733, located at the southeast corner of Carmel Mountain Road and East Ocean Air Drive, was allocated 8,640 ADT. The subject site was allocated 720 ADT for a total of 9,360 ADT for the entire Neighborhood Commercial Center. Since the adjacent site (TAZ 733) only utilizes 7,511 ADT of their allotment, 594 ADT of the remaining 1129 ADT (8,640-7,511) would be shifted to the project site resulting in a total ADT of 1,314 (720 + 594). The total ADT for the two sites would be reduced by 535 ADT. This would result in a decrease in the overall ADTs for the aggregate of the two sites.

The Plan allows for 10,000 square feet of Buildable Intensity in the TAZ 732 commercial area, but with the plan amendment 18,000 square feet of commercial would be allowed. Increasing the intensity of commercial use on the site provides more commercial opportunities within the Torrey Hills community and efficiently utilizes the remaining undeveloped commercial land.

There are relatively few Commercially designated sites within Torrey Hills and within the portion of the Carmel Valley Community south of SR-56. There are 4,577 dwelling units planned for Torrey Hills and Carmel Valley neighborhoods south of SR-56 and only 17-acres of neighborhood commercial use are planned to serve this network of communities. Therefore, there are limited opportunities to increase Commercially designated land if it is necessary to provide additional commercial services to the community. The transfer of unused ADTs and increase in building intensity on the subject site will ensure that the additional commercial space is accommodated within the traffic framework established by the Plan.

Transferring excess ADTs from the adjacent TAZ requires a plan amendment, however it does not increase overall ADTs within the community. If the project was to increase ADTs it would result in an overall increase in the number of ADTs for the community and would not be consistent with the EIR adopted for the community plan. The ADTs allocated to each TAZ is one of the tools the community plan uses to assess and accommodate growth and facilities within the Torrey Hills community. The proposed plan amendment will transfer ADTs from the associated Neighborhood Commercial Center site to the east which utilizes the same intersection at Carmel Mountain Road and East Ocean Air. This shift in ADTs will allow the increased development intensity at the project site without increasing the overall intensity within the community. The City Transportation section has reviewed this reallocation of ADTs and concluded there are no potential significant traffic impacts associated with this shift in ADT due to the minor amount of traffic involved (594ADTs) and the proximity of the two TAZs.

- Any impact of additional commercial use at this site on public services and facilities.

The Commercial land use on this site is part of the larger Torrey Hills Neighborhood Commercial Center and is planned for a building intensity of 10,000 square feet with 720 ADTs. The land use on the site will not change. The corner parcel will be reconfigured to accommodate retail commercial development and provide adequate parking and circulation. The land use map will be modified to account for the boundary adjustment to allow future development while preserving the visual quality of the rear slopes. The plan amendment will allow for the transfer of 594 unused ADTs from the associated retail site to the east and an increase of 8,000 square feet of commercial space beyond what is currently recommended for the site under Buildable Intensity in *Land Use by Traffic Analysis Zone* table. The site was previously approved for a service station and car wash and is intended for commercial development. The community is largely built out and public services are available to serve the subject site as well as the surrounding area. Commercial uses also provide services to the community and the relatively small increase in the total commercial building intensity proposed does not present an impact to public services.

Project Description

In addition to the plan amendment, the Torrey Corner project proposes a Tentative Map to subdivide a 2.485-acre site into three parcels (Attachment 6) and a Planned Development Permit to allow the development of an 18,000 square foot mixed-use retail and office development distributed in three one story buildings (Attachment 7), site landscaping (Attachment 8), and grading and improvements in the public right-of-way (Attachment 9) located at the southwest corner of East Ocean Air Drive and Carmel Mountain Road in the Torrey Hills community.

The three one-story buildings are further described as: Building A; a one-story 4,387 square foot commercial financial building with a drive through window; Building B; a one-story 6,055 square foot retail building; and Building C; a one-story 7,558 square foot retail and office building (Attachment 10). Building C may have a sit down restaurant without a drive through window. The site development would provide 114 parking spaces. The site would be accessed

from Carmel Mountain Road and from East Ocean Air Drive with right in and right out turning movements only. No left turns into or leaving the site would be allowed. Three project monument signs would be included for advertising the commercial center. These three monument signs would be located at each of the two driveway entrances and the third sign would be at the southwest corner of the intersection of Carmel Mountain Road and from East Ocean Air Drive (Attachment 7). The hours of operation, not to begin before 6 a.m. and ceasing no later than midnight, are limited in accordance with the requirements of the CN-1-2 zone.

The community plan amendment is required to change the boundary between open space and commercial land use and to increase the intensity of development at the site, the Tentative Map is required to subdivide the property into three separate parcels, the Planned Development Permit is required to allow approval of the project with deviations from the Land Development Code, and the Site Development Permit is required due to the presence of and development into steep slopes on the site.

Two deviations are proposed with the project. First, the project proposes to encroach 0.08 acres, or 3,485 square feet, into an area of the site designated as steep hillside as defined by the Land Development Code and lastly, the height of the retaining wall behind the commercial building on parcel one varies from six and zero feet at either end to 27 feet above grade at the highest point. At its highest point this wall would exceed the maximum height allowed by 17.3 feet where nine feet is the maximum allowed by the regulations. The retaining wall which is the subject of the deviation would, for the majority of its length, be completely behind the proposed building on parcel one and would be entirely invisible to all observers. The retaining wall and the building wall would have six inches of separation between them. The height of the proposed building on parcel one would be 27 feet six inches. Where the retaining wall is visible it would vary in height from thirteen to fifteen feet. In this area of the site a significant amount of landscaping is proposed; including trees, shrubs and vines. The vine species selected, *Ficus pumila*, is capable of attaching itself to the wall and completely screening the visible portions of the wall. The effective visible height of the wall, between 13 and 15 feet would be screened by ample landscaping sufficient to obscure the wall. In addition to these features the wall would have a faux stone façade so that any portion not covered in time by the vines would have an attractive appearance.

Architectural Design

The architectural design of the project is consistent with the Torrey Hills Center across the street. The project will employ similar architectural detailing, stone fascia, columns, wood trellises, cornice designs, wall sconce lighting, awnings, shake roof tiles and window glazing as was used to create the Torrey Hills Center (Attachment 10). All three buildings will be single story structures. The highest element of any of the three buildings will be thirty-two feet nine inches. A retaining wall will be constructed behind Building C to create the physical space necessary for

siting the building (Attachment 9). Floor plans for the project indicate the proposed tenant spaces and roof configurations (Attachment 11).

Landscape Development Plan

The Landscape Development Plan proposes to landscape the site in conformance with all relevant requirements of the City's Landscape Regulations (Attachment 8). The manufactured slopes will be revegetated with a mixture of native and ornamental plant species capable of stabilizing the slope and preventing erosion. The proposed retaining walls would have vines planted at their base capable of creeping and clinging to the wall surface. In this way a green vertical effect could be achieved to improve the appearance of the flagstone wall. Vehicular entrances into the site would include enhanced pavement consisting of an integral colored concrete scored into a block appearance and surrounded by three foot wide gray concrete bands. The landscape plan would include large canopy trees, flowering shrubs and ground cover consistent with the Torrey Hills Center across the street to strengthen the unified design theme in the community and to build on previous successes. Large ten foot high palm trees, Canary Island Palms, would be used sparingly as accents at the three proposed monument signs. Pedestrian circulation throughout the commercial property and from the public right-of-way has been carefully designed for efficiency and safety. Several access points allow pedestrians to enter and maneuver through the site while avoiding conflicts with vehicles (Attachment 8).

Grading Design

The existing site has been rough graded pursuant to a previously approved engineering permit (Attachment 4). Finish grading is necessary to prepare the site for the proposed development (Attachment 9). The proposed grading plan would create 7,400 cubic yards of excavation and 5,600 cubic yards of embankment. Approximately 1,762 cubic yards of export would be required by the grading operation. All inlets proposed by the project would contain filter inserts as a part of the project's storm water mitigation program. Several retaining walls would be used in the proposed design, the longest of which would be 500 feet and reach a maximum peak height of 27 feet. This wall would be behind Building C and in large part be screened by the building. Attachment 12 indicates the location of the retaining wall and the encroachment into the steep hillside. Where visible and not screened by Building C, the wall would be finished with a textured and colored concrete to provide a stone appearance.

Torrey Hills Community Planning Board

The Torrey Hills Community Planning Board, on July 18, 2006, voted unanimously to recommend approval of the Torrey Corner project with seven statements supporting the project (Attachment 13). City staff have reviewed the seven statements and notes the input. The group's comments are as follows:

1. To support the Community Plan Amendment initiated in December 2005 that will allow the developer to: A. Shift 593 ADT from the Torrey Center project (already built) to

Torrey Corner; B. Revise the allowable buildable square footage from the current maximum of 10,000 square feet to a maximum of 18,000 square feet; and C. Eliminate in the Torrey Hills Community Plan or in any document related to City zoning with respect to this lot, any and all wording that permits “gas station and car wash” as an allowable usage for this property or in this CN zone.

No comment or condition required.

2. To support the developers intention to seek a Planned Development Permit.

No comment or condition required.

3. To support the developers intention to pursue a Lot Line Adjustment with the adjacent property owner, the Torrey Hills Master Homeowners Association.

The proposed Tentative Map is organized and written to require a Lot Line Adjustment prior to recording the Parcel Map. No condition is required.

4. To support the developer’s request for a height deviation for the rear retaining wall which will allow the wall to be constructed to a maximum of 27'-0" at its highest point.

The plans reviewed by staff indicate a retaining wall behind building C be would 27 feet at its maximum height. No condition is required.

5. To request the elimination from the Community Plan all remaining ADT’s in excess of the 593 that will be transferred to the Torrey Corner site from the Torrey Center project site.

Staff is still investigating whether the City has the authority under the 1989 Sorrento Hills Development Agreement to extinguish these excess ADT’s. This is a matter of concern and will be resolved prior to the final hearing before the City Council. The developer has indicated they have no objection to the request and will commit to never sell or use the excess ADT’s.

6. To support moving Building C 15'-0" north (away from the rear slope).

Staff had requested this design revision to lessen the impacts to the steep slope behind the wall and to reduce the potential visual impact from the wall when viewed from the community. The applicant made this change resulting in the project as proposed. No condition is required.

7. To support the addition of two 3'-0" terraced retaining walls along Carmel Mountain Road.

Staff had requested this design revision to lessen the impacts to the steep slope behind the wall and to reduce the potential visual impact from the wall when viewed from the community. The

applicant made this change resulting in the project as proposed. Attachment 11 indicates the area of encroachment into the steep slope. No condition is required.

Environmental Analysis

The environmental analysis of the proposed project conducted by City staff was completed in compliance with the California Environmental Quality Act and the guidelines adopted by the City of San Diego. During staff's review several issues of significance were identified and discussed with the consultant team and other members of the City staff. All issues identified have been resolved by the applicant either by providing additional information or technical reports or by conditions of approval and terms of the Mitigation Monitoring and Reporting Program (MMRP).

The MMRP requires conditions of approval in the following areas to avoid significant and unmitigated impacts from potentially occurring as a result of implementation of the project. These are:

Paleontological Resources

With these conditions applied to the proposed project, the project would avoid potential significant impacts as a result of its implementation.

CONCLUSION

The proposed project will compliment an existing commercial development on the southeast corner of Carmel Mountain Road and East Ocean Air Drive. The two projects will utilize similar materials, architectural styling, detailing and forms. Both projects have received support from the Torrey Hills Community Planning Group (Attachment 13).

With the approval of the proposed land use plan amendments the Torrey Corner project will conform to the land use designations and design recommendations of the Torrey Hills Community Plan, the goals and policies of the Progress Guide and General Plan and the regulations of the Land Development Code, as allowed through a Planned Development Permit. The proposed design of the project would allow for the creation of a development which meets all the guidelines and regulations relevant for this site, as allowed by a Planned Development Permit. All issues identified as a result of the staff review of the project have been resolved in a manner consistent with the regulations and policies of the City of San Diego. The proposed project would fulfill a community need for additional commercial development. No public correspondence was received regarding the proposed project. Draft findings of approval have been prepared for the project (Attachment 14 & 15). Draft conditions of approval have been prepared for the project (Attachments 15 & 16).

ALTERNATIVES

1. A. Recommend City Council **CERTIFY** Mitigated Negative Declaration LDR No. 34992 and **ADOPT** the Mitigation Monitoring and Reporting Program; and
B. Recommend City Council **APPROVE** the Progress Guide and General Plan and Community Plan Amendments No. 306111, Tentative Map No. 99197, Planned Development Permit No. 99196 and Site Development Permit No. 345508, with modifications.
2. A. Recommend City Council **NOT CERTIFY** Mitigated Negative Declaration LDR No. 34992 and **NOT ADOPT** the Mitigation Monitoring and Reporting Program; and
B. Recommend City Council **DENY** the Progress Guide and General Plan and Community Plan Amendments No. 306111, Tentative Map No. 99197, Planned Development Permit No. 99196 and Site Development Permit No. 345508, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

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HALBERT:JSF

Attachments:

1. Community Plan Land Use Map
2. Vicinity Map
3. Aerial Photograph

4. Existing Topography
5. Proposed Torrey Hills Plan Amendment, text and graphics
6. Tentative Map
7. Site Plan
8. Landscape Development Plan
9. Grading and Improvement Plan
10. Proposed Building Elevations
11. Floor and Roof Plans
12. Steep Hillside Exhibit
13. Torrey Hills Community Planning Board recommendation
14. Draft Permit Resolution with Findings
15. Draft Tentative Map Resolution with conditions
16. Draft Planned Development Permit No. 99196/Site Development Permit No. 345508
17. Site Cross Sections
18. Ownership Disclosure Statement
19. Project Chronology
20. Project Data Sheet